

### 2013 DRAFTING REQUEST

#### Bill

Received: 1/15/2014 Received By: phurley  
Wanted: As time permits Same as LRB: -3586  
For: Mike Kuglitsch (608) 267-5158 By/Representing: Matt  
May Contact: Drafter: phurley  
Subject: Justice - criminal Addl. Drafters:  
Extra Copies:

Submit via email: YES  
Requester's email: Rep.Kuglitsch@legis.wisconsin.gov  
Carbon copy (CC) to:

---

#### Pre Topic:

No specific pre topic given

---

#### Topic:

Create appropriation for the Shot Spotter Program in the city of Milwaukee

---

#### Instructions:

Create new appropriation; \$175,000 for FY 2014

---

#### Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	phurley 1/17/2014	jdyer 1/15/2014	jmurphy 1/15/2014	_____	mbarman 1/15/2014	lparisi 1/16/2014	State S&L
/2		wjackson 1/17/2014	jfrantze 1/17/2014	_____	srose 1/17/2014	srose 1/17/2014	State S&L

FE Sent For:

1/16/2014 12:00:00 AM  
("1") <END>  
01-21-2014  
("2") ← sec attached

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/2		wjackson 1/17/2014	jfrantze 1/17/2014	_____	rose 1/17/2014		State S&L

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/1	phurley 1/15/2014	jdyer 1/15/2014	jmurphy 1/15/2014	_____	mbarman 1/15/2014	lparisi 1/16/2014	State S&L

FE Sent For: *1/2 W/Lj 1/17*  
*01-16-2014*  
*(1/1)*  
*<END>*  
*See attached*

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FE Sent For:

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**Topic:**

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Create new appropriation; \$175,000 for FY 2014

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/1	phurley	1/15 jcd	jd	==			

FE Sent For:

<END>

pls jacket  
when done



State of Wisconsin  
2013 - 2014 LEGISLATURE



3986/1

LRB 3586/P1

PJH:jld:jm

keep ↑ comp  
run

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

1-15-14

✓

Regen

1 AN ACT to create 20.455 (2) (cv) of the statutes; relating to: providing funding  
2 for a crime prevention program in the city of Milwaukee and making an  
3 appropriation.

*Analysis by the Legislative Reference Bureau*

This bill appropriates, for fiscal year 2014-15, \$175,000 in general program revenues to provide money for the Shot Spotter Program in the city of Milwaukee. For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

4 SECTION 1. 20.005 (3) (schedule) of the statutes: at the appropriate place, insert  
5 the following amounts for the purposes indicated:

		2013-14	2014-15
7	<b>20.455 Justice, department of</b>		
8	(2) LAW ENFORCEMENT SERVICES		
9	(cv) Shot Spotter Program	GPR A	-0- 175,000



**Barman, Mike**

---

**From:** LRB.Legal  
**To:** Rep.Kuglitsch  
**Subject:** Draft review: LRB -3986/1 Topic: Create appropriation for the Shot Spotter Program in the city of Milwaukee  
**Attachments:** 13-3986/1

**State of Wisconsin - Legislative Reference Bureau**  
**One East Main Street - Suite 200 - Madison**

**The attached draft was prepared at your request. Please review it carefully to ensure that it satisfies your intent.** If you have any questions concerning the draft or would like to have it redrafted, please contact Peggy J. Hurley, Senior Attorney, at (608) 266-8906, at [peggy.hurley@legis.wisconsin.gov](mailto:peggy.hurley@legis.wisconsin.gov), or at One East Main Street, Suite 200.

If you wish to introduce this draft in both houses please contact the drafting attorney to have a companion bill drafted.

---

**Per instructions from the drafting attorney ... we will jacket this draft for the Assembly and send it (by page) to your office.**

---

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will submit a request to DOA when the draft is introduced. You may obtain a fiscal estimate on the draft prior to introduction by contacting our program assistants at [LRB.Legal@legis.wisconsin.gov](mailto:LRB.Legal@legis.wisconsin.gov) or at (608) 266-3561. If you requested a fiscal estimate on an earlier version of this draft and would like to obtain a fiscal estimate on the current version before it is introduced, you will need to request a revised fiscal estimate from our program assistants.

**Please call our program assistants at (608) 266-3561 if you have any questions regarding this email.**

## Barman, Mike

---

**From:** Hurley, Peggy  
**Sent:** Thursday, January 16, 2014 2:39 PM  
**To:** Barman, Mike  
**Subject:** RE: LRB- 3586/P1

Sorry about that, Mike. The draft Matt wants a fiscal for is 3986/1. It is his office's version of -3586.

P

---

**From:** Barman, Mike  
**Sent:** Thursday, January 16, 2014 2:36 PM  
**To:** Hurley, Peggy  
**Subject:** RE: LRB- 3586/P1

It is still a "/P" draft ... it will need to be at least a "/1" before I can send out for a FE.  
If you re-draft it ... let me know when it is finished and I will be happy to get the ball rolling.

MB

---

**From:** Hurley, Peggy  
**Sent:** Wednesday, January 15, 2014 3:59 PM  
**To:** Barman, Mike  
**Subject:** FW: LRB3586

Mike,

Can you help Matt with this?

Peggy

---

**From:** Spencer, Matt  
**Sent:** Wednesday, January 15, 2014 3:57 PM  
**To:** Hurley, Peggy  
**Subject:** RE: LRB3586

Can we get a fiscal estimate prepared for this? We are hoping to move this quickly.

Matthew Spencer  
Office of Representative Mike Kuglitsch  
(608) 267-5158

---

**From:** Hurley, Peggy  
**Sent:** Wednesday, January 15, 2014 12:35 PM  
**To:** Spencer, Matt  
**Cc:** Probst, Nick  
**Subject:** RE: LRB3586

I'll put the request in introducible form and ask the front office to jacket it.

Peggy

---

**From:** Spencer, Matt  
**Sent:** Wednesday, January 15, 2014 11:54 AM

**To:** Hurley, Peggy  
**Cc:** Probst, Nick  
**Subject:** RE: LRB3586

Can we get this jacketed?

Matthew Spencer  
Office of Representative Mike Kuglitsch  
(608) 267-5158

---

**From:** Hurley, Peggy  
**Sent:** Wednesday, January 15, 2014 10:55 AM  
**To:** Probst, Nick  
**Cc:** Spencer, Matt  
**Subject:** RE: LRB3586

Thanks, Nick. Do you want me to enter a request for that office?

Peggy

---

**From:** Probst, Nick  
**Sent:** Wednesday, January 15, 2014 10:32 AM  
**To:** Hurley, Peggy  
**Cc:** Spencer, Matt  
**Subject:** LRB3586

Peggy,

Please release LRB3586 to the Kuglitsch office.

**Nicholas Probst**  
Legal Counsel  
Office of Assembly Speaker

**SECTION 9118. Nonstatutory provisions; Health Services.**

(1e) SUPPLEMENTAL APPROPRIATIONS FOR SHEBOYGAN TUBERCULOSIS RESPONSE FUNDING.

(a) Of the moneys appropriated to the joint committee on finance under section 20.865 (4) (a) of the statutes for the 2013-15 fiscal biennium, \$2,508,900 in fiscal year 2013-14 and \$2,159,000 in fiscal year 2014-15 are allocated for supplementations under paragraphs (b) and (c).

(b) At any time during fiscal year 2013-14, the department of health services may submit one or more requests to the joint committee on finance to supplement the appropriations under section 20.435 (1) (a) and (e) and (4) (b) of the statutes for fiscal year 2013-14 from the appropriation under section 20.865 (4) (a) of the statutes for the purpose of funding state and local costs to respond to a tuberculosis incident in Sheboygan County. The department of health services shall include in any request submitted under this paragraph a proposal for allocating the requested funds among the appropriations under section 20.435 (1) (a) and (e) and (4) (b) of the statutes. The department of health services may not submit requests under this paragraph for supplementations totaling more than \$2,508,900 in general purpose revenue for fiscal year 2013-14. If the cochairpersons of the committee do not notify the department of health services within 14 working days after the date a request is submitted that the committee has scheduled a meeting for the purpose of reviewing the request, notwithstanding section 13.101 (1) and (3) of the statutes, the supplementation shall be made as proposed in the request. If, within 14 working days after the date the request is submitted, the cochairpersons of the committee notify the department of health services that the committee has scheduled a meeting for the purpose of reviewing the request, the supplementation may be made only upon approval of the committee, in an amount specified by the committee. Notwithstanding section 13.101 (3) of the statutes, the joint committee on finance is not required to find that an emergency exists prior to making a supplementation under this paragraph.

(c) At any time during the 2013-15 fiscal biennium, the department of health services may submit one or more requests to the joint committee on finance under section 13.10 of the statutes to supplement the appropriations under section 20.435 (1) (a) and (e) and (4) (b) of the statutes for fiscal year 2014-15 from the appropriation account under section 20.865 (4) (a) of the statutes for the purpose of funding state and local costs to respond to a tuberculosis incident in Sheboygan County. The department of health services shall include in any request submitted under this paragraph a proposal for allocating the requested funds among the appropriations under section 20.435 (1) (a) and (e) and (4) (b) of the statutes. The department of health services may not submit requests under this paragraph for supplementations totaling more than \$2,159,000 in general purpose revenue for fiscal year 2014-15. Notwithstanding section 13.101 (3) of the statutes, the joint committee on finance is not required to find that an emergency exists prior to making a supplementation under this paragraph.

(d) The department of health services may provide funding to Sheboygan County from supplementations under paragraph (b) or (c) for the purpose of reimbursing Sheboygan County for costs incurred by the county responding to a tuberculosis incident in the county, including costs for drug treatment. Before requesting any funding provided under this paragraph, the county shall submit to the department of health services documentation for its actual costs for which it seeks reimbursement. The department of health services may not provide any funding under this paragraph in the absence of documentation by the county as provided in this paragraph.

(2c) SUPPLEMENT TO OLDER AMERICANS ACT FUNDING. From the appropriation account under section 20.435 (7) (dh) of the statutes, the department of health services shall pay moneys to counties and American Indian tribes that have reductions in the amount of federal moneys received from grants under title III of the Older Americans Act in calendar year 2013 as compared to the amount received in calendar

year 2012. In the 2013-14 fiscal year, the department of health services shall pay to each county and tribe that had a reduction an amount equal to one-half of the amount the federal moneys are reduced between calendar years 2012 and 2013 to be used for the same purposes as federal moneys provided under title III of the Older Americans Act.

(3q) COMMUNITY-BASED LONG-TERM CARE EXPANSION. Before December 14, 2013, the department of health services shall do all of the following:

(a) Develop a comprehensive projection of the expected future change in the need for publicly funded community-based long-term care.

(b) Include all of the following in the projection described in paragraph (a):

1. The projected future growth trends in populations likely to access services.
2. The potential or projected shifts in the use of alternatives that are allowed under the federal Medicaid program for the populations identified in subdivision 1.
3. The comparative cost efficiency of service options allowed under the federal Medicaid program to meet the needs of the populations identified under subdivision 1.
4. Strategies to control the growth in long-term care costs in the Medical Assistance program.
5. Strategies to promote keeping individuals in their own homes to reduce or delay entry into publicly funded long-term care programs.

(c) Submit a report summarizing the results of the projection described under paragraphs (a) and (b) to the joint committee on finance.

(4c) DISPROPORTIONATE SHARE HOSPITAL PAYMENTS.

(a) Subject to paragraph (c) and notwithstanding section 49.45 (3) (e) of the statutes, from the appropriation accounts in section 20.435 (4) (b) and (o) of the statutes, the department of health services shall pay to hospitals that serve a disproportionate share of low-income patients a total of \$36,792,000 in fiscal year 2013-14 and \$36,728,700 in fiscal year 2014-15. The department of health services may make a payment to a hospital under this subsection under the calculation method described in paragraph (b) if the hospital meets all of the following criteria:

1. The hospital is located in this state.
2. The hospital provides a wide array of services, including services provided through an emergency department.
3. The inpatient days for Medical Assistance recipients at the hospital was at least 6 percent of the total inpatient days at that hospital during the most recent year for which such information is available.
4. The hospital meets applicable, minimum requirements to be a disproportionate share hospital under 42 USC 1396r-4 and any other applicable federal law.

(b) The department of health services shall comply with all of the following when making payments to hospitals described in paragraph (a):

1. The department of health services shall distribute the total amount of moneys described under paragraph (a) to be paid to hospitals with a disproportionate share of low-income patients by doing all of the following:

- a. Dividing the number of Medical Assistance recipient inpatient days at a hospital by the number

of total inpatient days at the hospital to obtain the percentage of Medical Assistance recipient inpatient days at that hospital.

b. Subject to subdivisions 2. and 3., providing an increase to the inpatient fee-for-service base rate for each hospital that qualifies for a disproportionate share hospital payment under this subsection.

c. Subject to subdivisions 2. and 3., providing an additional increase to the increase under subdivision 1. b. using a slope factor of 0.75 such that a hospital's overall fee-for-service add-on percentage under this subsection increases as the hospital's percentage of Medical Assistance recipient inpatient days increases.

2. The department of health services shall set the addition to the base rate at a level that ensures the total amount of moneys available to pay hospitals with a disproportionate share of low-income patients is distributed in each fiscal year.

3. The department of health services shall limit the maximum payment to hospitals such that no single hospital receives more than \$2,500,000 in disproportionate share hospital payments under this subsection in a fiscal year.

(c) The department of health services shall seek any necessary approval from the federal department of health and human services to implement the hospital payment methodology described under paragraphs (a) and (b). If approval is necessary and approval from the federal department of health and human services is received, the department of health services shall implement the payment methodology described under paragraphs (a) and (b). If approval is necessary and the department of health services and the federal department of health and human services negotiate a methodology for making payments to hospitals with a disproportionate share of low-income patients that is different from the methodology described under paragraphs (a) and (b), the department of health services, before implementing the negotiated payment methodology, shall submit to the joint committee on finance the negotiated payment methodology. If the cochairpersons of the committee do not notify the department of health services within 14 working days after the date of the submittal by the department of health services that the committee has scheduled a meeting for the purpose of reviewing the negotiated payment methodology, the department of health services may implement the negotiated payment methodology. If, within 14 working days after the date of the submittal by the department of health services, the cochairpersons of the committee notify the department of health services that the committee has scheduled a meeting for the purpose of reviewing the negotiated payment methodology, the negotiated payment methodology may be implemented only on approval of the committee.

(5e) FUNDING OF FAMILY CARE ENROLLEES ADMITTED TO MENTAL HEALTH INSTITUTES.

(a) In this subsection:

1. "Department" means the department of health services.
2. "Family Care program" means the benefit program under section 46.286 of the statutes.
3. "Mental health institute" has the meaning given in section 51.01 (12) of the statutes.

(b) Before September 1, 2013, the department shall submit to the joint committee on finance a report that identifies issues relating to cost liability for counties with residents who were formerly enrolled in the Family Care program and who are admitted to a mental health institute.

(c) After submitting the report under paragraph (b) and during the 2013-15 fiscal biennium, the department shall submit one or more requests to the joint committee on finance under section 13.10 of the statutes to supplement the appropriation under section 20.435 (2) (bj) of the statutes from the

appropriation under section 20.865 (4) (a) of the statutes for the purpose of paying a portion of the additional costs counties incur to support services provided by the mental health institutes to certain enrollees in the Family Care program. If the joint committee on finance releases the moneys, the department may reimburse the county for all of the following for a stay of an enrollee of the Family Care program at a mental health institute subject to paragraph (d):

1. For any portion of a stay longer than 30 days but not longer than 60 days at a mental health institute, 50 percent of the state share of the cost of care incurred by the county for that portion of the stay.

2. For any portion of a stay longer than 60 days but not longer than 90 days, 75 percent of the state share of the cost of care incurred by the county for that portion of the stay.

3. For any portion of a stay longer than 90 days, all of the state share of the cost of care incurred by the county for that portion of the stay.

(d) The department may provide reimbursement to counties for Family Care program enrollees admitted to mental health institutes on or after the effective date of this paragraph and, if the Family Care program enrollee is still at the mental health institute on the effective date of this paragraph, before the effective date of this paragraph. For a Family Care program enrollee admitted to a mental health institute before the effective date of this paragraph, the department shall base the reimbursement on the Family Care program enrollee's total length of stay since admission to the mental health institute using the calculations under paragraph (c) 1. to 3.

(e) The financial liability of the state to pay reimbursements for services at a mental health institute for Family Care program enrollees under this subsection is limited to services provided at a mental health institute before July 1, 2015.

(6i) ESTATE RECOVERY AND DIVESTMENT PROVISION APPROVAL. By no later than June 30, 2015, the department of health services shall submit one or more proposals to the joint committee on finance requesting approval of the implementation of the estate recovery and divestment provisions of this act. Notwithstanding SECTIONS 9318 (3), (4), (5), (6), (7), and (8) and 9418 (2) of this act, the department of health services may not implement any of the following estate recovery or divestment provisions of this act without the approval of the joint committee on finance:

(a) The treatment of sections 20.435 (4) (im) and (in) and (7) (im), 46.27 (7g) (a) 1m., 4., and 5., (c) 1., 2m., 3. (intro.), 5. a. and b., 6. (intro.), and 6m., and (g), 46.286 (7), 46.287 (2) (a) 1. k., 49.453 (2) (a) (intro.) and (b) (intro.), (3) (a) (intro.) and (ag), (4c) (c), and (8) (a) 1., 49.455 (5) (title), (d), and (e), 49.47 (4) (b) 2w., 49.496 (1) (a), (af), (bk), (bw), and (cm), (3) (a) (intro.) and 2. a., am., b., and c., (ad), (aj), (am) (intro.), (c) 1. and 2., (d) (intro.), and (dm), and (6m), 49.4962, 49.682 (1) (am), (d), and (e), (2) (a), (bm), (c) (intro.), (e) 1. and 2., (f) (intro.), and (fm), (3), and (5), 49.848, 49.849, 49.85 (title), (2) (a) (intro.) and 4., and (3) (a) 1., 59.43 (1) (w), 224.42 (1) (a), 632.697, 700.24, 701.065 (1) (b) 1. and (5), 705.04 (2g), 766.55 (2) (bm), 859.02 (2) (a), 859.07 (2) (a) 3., 867.01 (3) (am) 4. and (d), 867.02 (2) (am) 6., 867.03 (1g) (c) and (1m) (a) and (b), 867.035 (title), (1) (a) (intro.), 1., 2., 3., and 4., and (bm), (2), (2m) (a) and (b), (3), (4), (4m), and (5), and 893.33 (4r) of the statutes.

(b) The renumbering and amendment of sections 49.45 (4m) (a) 3., 49.455 (8) (d), and 867.03 (2g) of the statutes.

(c) The creation of sections 49.45 (4m) (a) 3. a. to f., 49.455 (8) (d) 2., and 867.03 (2g) (b) of the statutes.



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-3986A

PJH:jld:jm

+WLJ mr

2013 BILL

today

ReGen Cat

1 AN ACT to create 20.455 (2) (cv) of the statutes; relating to: providing funding  
2 for a crime prevention program in the city of Milwaukee and making an  
3 appropriation.

*Analysis by the Legislative Reference Bureau*

This bill appropriates, for fiscal year 2014-15, \$175,000 in general program revenues to provide money for the Shot Spotter Program in the city of Milwaukee. For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

Put in new, correct comp.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

4 SECTION 1. 20.005 (3) (schedule) of the statutes: at the appropriate place, insert  
5 the following amounts for the purposes indicated:

**BILL**

1

**2013-14**

**2014-15**

2

**20.455 Justice, department of**

3

(2) LAW ENFORCEMENT SERVICES

4

(cv) Shot Spotter Program

GPR

A

-0-

175,000

5

**SECTION 2.** 20.455 (2) (cv) of the statutes is created to read:

6

20.455 (2) (cv) *Shot Spotter Program*. The amounts in the schedule for the Shot

7

Spotter Program in the city of Milwaukee.

8

(END)

Insert

**2013-2014 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-3986/lins  
PJH:jld:jm

INSERT:

**SECTION 1. Fiscal changes.**

(1) SUPPLEMENTAL APPROPRIATIONS FOR SHEBOYGAN TUBERCULOSIS RESPONSE FUNDING. In the schedule under section 20.005 (3) of the statutes for the appropriation to the joint committee on finance under section 20.865 (4) (a) of the statutes, as affected by the acts of ~~2011~~<sup>2013</sup>, the dollar amount is decreased by \$175,000 for the second fiscal year of the fiscal biennium in which this subsection takes effect to reduce by \$175,000 the amounts allocated to the appropriation by 2013 Wisconsin Act 20, section 9118 (1e).

**Barman, Mike**

---

**From:** Hurley, Peggy  
**Sent:** Tuesday, January 21, 2014 9:24 AM  
**To:** Barman, Mike  
**Subject:** FW: LRB 3986/2

Mike,

Can you help them out with the fiscal estimate?

Peggy

---

**From:** Spencer, Matt  
**Sent:** Tuesday, January 21, 2014 9:21 AM  
**To:** Hurley, Peggy  
**Subject:** LRB 3986/2

Could we get a PDF of the updated draft and request for a fiscal estimate?

Thank you,

Matthew Spencer  
Office of Representative Mike Kuglitsch  
(608) 267-5158



"1/2" FE request  
submitted to  
DOR 01-21-2014  
MB